



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : RIES, Uwe, et al. Art Unit: 1614  
Serial No. : 10/600,055 ) Examiner: N/A  
Confirmation No. : 5854  
Filed : June 20, 2003  
For : Pharmaceutical Compositions for the Treatment of Systemic  
Inflammatory Response Syndrome  
Docket No. : 1/1358

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A and B) with copies of all references cited therein. This is being submitted pursuant to 37 C.F.R. §1.56 and before the mailing of a first Office Action on the merits, pursuant to 37 CFR § 1.97(b).

It should be noted that the references listed in the Information Disclosure Statement have been cited in the International Search Report (ISR) for PCT/EP 98/07965, which corresponds to the present US application. A copy of that ISR is enclosed herewith.

1.97(b). This Statement is being filed within three months of the filing date of a national application; within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or before the mailing of a first Office Action on the merits, whichever event occurs last.

1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of either a final action under §1.113 or a notice of allowance under 37 C.F.R. §1.311, whichever occurs first. This Statement is being accompanied by:

- A certification as specified in 37 C.F.R. §1.97(e); or
- The fee set forth in 37 C.F.R. §1.17(p).

The Assistant Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

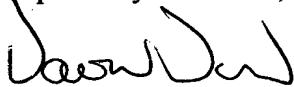
1.97(d). This Statement is being filed after the mailing of either a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311, whichever occurs first, but before payment of the issue fee. This Statement is being accompanied by a certification as specified in 37 C.F.R. §1.97(e), a petition requesting consideration of this Statement, and the petition fee set forth in 37 C.F.R. §1.17(i).

The Assistant Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

The Assistant Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triple copy of this form are enclosed.

Respectfully submitted,



David A. Dow  
Attorney for Applicant(s)  
Reg. No. 46,124

Patent Department  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

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P.O. Box 1450  
Alexandria, VA 22313-1450

on November 7, 2003

By: David A. Dow





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Substitute for form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 2

**Complete if Known**

Application Number	10/600,055
Filing Date	06/20/2003
First Named Inventor	RIES, Uwe
Art Unit	1614
Examiner Name	N/A

Attorney Docket Number 1/1358

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**U. S. PATENT DOCUMENTS**

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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
✓		WO 00/01704	01/13/2000	Boehringer Ingelheim Pharma KG		
✓		WO 03/000682 A1	01/03/2003	Merck & Co., Inc.		
✓		WO 03/035065 A1	05/01/2003	Aventis Pharmaceuticals Inc.		
✓		CA 2371645 A1	11/16/2000	BASF AKTIENGESELLSCHAFT, DE		

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, Washington, DC 20231.**

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Subpart A  
Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of

2

<i>Compl t if Known</i>	
Application Number	10/600,055
Filing Date	06/20/2003
First Named Inventor	RIES, Uwe
Art Unit	1614
Examiner Name	N/A
Attorney Docket Number	1/1358

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		XP-000974178: James Edwin Hall, et al.; Anti-Pneumocystis Activities of Aromatic Diamidoxime Prodrugs; Am. Soc. for Microbiology, Mar. 1998, pp 666-674, Vol. 42, No. 3.	

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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